

## Message Text

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ORIGIN AEC-07

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----- 123929

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FM SECSTATE WASHDC

TO AMEMBASSY TOKYO PRIORITY

UNCLAS STATE 243417

E.O. 11652: N/A

TAGS: TECH

SUBJECT: ABCC

REF: A) TOKYO 13805 B) TOKYO 13848

1. FOLLOWING RECOMMENDATIONS REF A ACCEPTED:

(A) PARA 1 (G) ARTICLE 34, NEW PARAGRAPH 3 ADDED: US DELEGATION OF OPINION THAT LANGUAGE IN ARTICLE 34 IS BROAD ENOUGH TO AVOID EXPLICIT DEMAND OF RETURN TO ONLY THE DONOR OR ONLY THE SOURCES FROM WHICH RESOURCES DERIVED.

(B) PARA 1(H): "FULL" TO BE ADDED BEFORE BOARD MEMBERS IN ARTICLES 33 AND 34-1 AND "PRESENT" DELETED FROM ARTICLE 34-1.

(2) SEE US DELEGATION PROPOSED NEW LANGUAGE ARTICLE 21 - "THE MEETING OF THE BOARD OF DIRECTORS SHALL NOT BE ABLE TO TRANSACT BUSINESS AND MAKE DECISIONS UNLESS ONE PERMANENT DIRECTOR  
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AND AT LEAST SIX OTHER FULL BOARD MEMBERS ARE PRESENT."

(3) DECISIONS AT THE MEETING OF THE BOARD OF DIRECTORS SHALL BE MADE BY TWO-THIRDS MAJORITY AFFIRMATION VOTE OF THE FULL BOARD MEMBERS EXCLUDING THE PRESIDING OFFICER OF THE MEETING. IN CASE OF A TIE VOTE, THE PRESIDING OFFICE WILL HAVE THE RIGHT TO THE DECIDING VOTE.

(C) PARA 1(I): "FULL" ADDED BEFORE MEMBERS IN ARTICLE 6-2 AND BEFORE "BOARD MEMBERS" IN ARTICLES 19-2 AND 21-1.

(D) PARA 1(J): "INITIAL" ADDED BETWEEN "THE" AND "DIRECTORS" IN SUPPLEMENTARY PROVISIONS PARAGRAPH 2.

(2) MEANING OF "DIRECTORS" AS ONLY THOSE SIX OFFICERS WHOSE TITLE IS DIRECTOR IS ACCEPTED.

(E) PARA 1(K), (L), (M): AMEMBASSY STYLISTIC RECOMMENDATIONS FOR ARTICLES 17, 29-4, AND 32-1 ACCEPTED.

2. PARA 3(A) REF A: US DELEGATION IS PREPARING POSITION AND ALTERNATIVES ON TERMINATION LIABILITY PROBLEM.

3. PARA 3(B) REF A: "CONCERNING AUDITING PROVISION" REFER TO THE RECORD OF DISCUSSION (NEW DRAFT OCTOBER 25, 1974) AEC PROPOSES: PARA 5 - "THE REPRESENTATIVES OF THE TWO GOVERNMENTS CONFIRMED THAT EITHER GOVERNMENT MAY CONDUCT FINANCIAL EXAMINATIONS OF THE USE OF FUNDS WHICH IT HAS FURNISHED TO THE FOUNDATION."

4. PARA 3(C) REF A: SEE PARA 1(A) ABOVE CONCERNING ARTICLE 34.

5. REF B PARA 2: NAS AGREED TO DEFER SCIENTIFIC VISIT AS SUGGESTED. INGERSOLL

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## Message Attributes

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